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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/552,106

10/03/2005

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12/15/2008

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EXAMINER

TRAN, MY CHAU T

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

12/15/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/552,106	<b>Applicant(s)</b> HUITEMA ET AL.	
	<b>Examiner</b> MY-CHAU T. TRAN	<b>Art Unit</b> 2629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 October 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17, 19-28 and 40-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17, 19-28 and 40-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Office Action</u> .                                       | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Application and Claims Status***

1. Applicant's amendment filed 10/29/2008 and response filed 10/08/2008 are acknowledged and entered.
2. Claims 1-39 were pending. Applicants have amended claims 17, 19, 20, and 23-28; cancelled claims 1-16, 18, and 29-39; and added claims 40-45. Therefore, claims 17, 19-28, and 40-45 are currently pending.

### ***Election/Restrictions***

3. Applicant's election without traverse of Group B (claims 17-28) in the reply filed on 10/08/2008 is acknowledged.
4. Claims 1-16 and 29-39 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/08/2008. Additionally, applicant has cancelled claims 1-16 and 29-39 in the amendment filed 10/29/2008.

### ***Priority***

5. This instant application is a 371 of PCT/IB04/050340 filed on 03/26/2004, and as a result this instant application has the effective filing date of 03/26/2004.

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6. Receipt is acknowledged of papers, i.e. European Patent Office Application No. 03100854.3 filed 04/01/2003, submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

7. The information disclosure statements (IDS) filed on 10/03/2005 and 10/14/2008 have been reviewed, and the references that have been considered are initialed as recorded in PTO-1449 forms.

### ***Drawings***

8. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: for examples a) the reference #54 for the arrow in figure 11 mentioned in the disclosure (see instant specification pg. 8, lines 24-25) is not found in figure 11; and b) the reference #16, 37, 6, and 24 mentioned in the disclosure (see instant specification pg. 6, lines 10, 18, 23, and 34) are not found in figure 4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

9. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 44 and 45 have been renumbered to claims 43 and 44, respectively.

*Additionally*, in order to further prosecution, claim 28 interpreted to depend on claim 43, for instant claim 28 is currently depend on misnumbered claim 44. Appropriate correction is required.

10. Therefore, claims 17, 19-28, and 40-44 are under consideration in this Office Action.

### ***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 17, 19-28, and 40-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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**A.** Claim 17 recite the term “*different kind*” is vague and indefinite because it is unclear as to meets and bounds of the structural feature(s) for the recited limitation. That is the addition of the word “different” to an otherwise definite expression (i.e. kind) extends the scope of the expression so as to render it indefinite. Moreover neither the instant specification nor the instant claims define the term “*different kind*”, i.e. what is/are the structural(s) distinction between the term “*kind*” and “*different kind*”. Accordingly, claim 17 and all dependent claims are rejected under 35 U.S.C. 112, second paragraph.

**B.** Regarding claim 17, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Thus, claim 17 and all dependent claims are rejected under 35 U.S.C. 112, second paragraph.

**C.** Claim 25 recite the term “*further axis*” is vague and indefinite because it is unclear as to meets and bounds of the structural feature(s) for the recited limitation. That is the addition of the word “different” to an otherwise definite expression (i.e. axis) extends the scope of the expression so as to render it indefinite. Moreover neither the instant specification nor the instant claims define the term “*further axis*”, i.e. what is/are the structural(s) distinction between the term “*axis*” and “*further axis*”. Hence, claim 25 is rejected under 35 U.S.C. 112, second paragraph.

**D.** Claim 25 recite the limitation “*first axis*” in 3. There is insufficient antecedent basis for this limitation in the claim. Claim 17 for which claim 25 depend does not recite the term “*first axis*”

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**E.** Claim 40 recite the term “*different kind of application*” is vague and indefinite because it is unclear as to meets and bounds of the structural feature(s) for the recited limitation. That is the addition of the word “different” to an otherwise definite expression (i.e. kind of application) extends the scope of the expression so as to render it indefinite. Moreover neither the instant specification nor the instant claims define the term “*different kind of application*”, i.e. what is/are the structural(s) distinction between the term “*kind of application*” and “*different kind of application*”. Hence, claim 40 is rejected under 35 U.S.C. 112, second paragraph.

**F.** Claim 42 recite the term “*different technologies*” is vague and indefinite because it is unclear as to meets and bounds for the structural features of the recited limitation. That is the addition of the word “different” to an otherwise definite expression (i.e. technologies) extends the scope of the expression so as to render it indefinite. Moreover neither the instant specification nor the instant claims define the term “*different technologies*”, i.e. what is/are the structural distinction between the term “*technologies*” and “*different technologies*”. Consequently, claim 42 is rejected under 35 U.S.C. 112, second paragraph.

### ***Claim Rejections - 35 USC § 102***

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

14. Claims 17, 20, 24, 25, 26, 40, 41, 43, and 44 are rejected under 35 U.S.C. 102(e) as being anticipated by Nako et al. (US Patent 6,788,292 B1; *Effective Filing Date (§ 371 (c)(1)) of 08/25/2000*).

For **claims 17, 20, 24, 25, 26, 40, 41, and 43**, First, the recitation of “*such that at least one of the panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional limitation, and as a result here it is interpreted that the instant claimed sub-housing does not include this functional limitation. Nako et al. disclose a display device (see e.g. Abstract; col. 2, lines 24-47; figs. 2, 6, 9, 10, 16, 19, 20, and 36). In general as illustrated by figure 2, the device comprises two flat displays (ref. #4) (refers to instant claimed two panels) wherein each is in a housing, two page turn instruction units (ref. #5), and arranged within the device is a display control unit (ref. #2 of fig. 1) and memory (ref.



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#3) (see e.g. col. 6, lines 15-27; figs. 1, 6, 9, 10, 16, 19, 20, and 36). Nako et al. also disclose that the number of flat displays (ref. #4) includes one, three, or more (refers to instant claim 43) (see e.g. col. 6, lines 16-22; col. 7, lines 33-35). In one embodiment as shown by figure 19, the two flat displays (ref. #4A and 4B) are connected via a joint (ref. #51) (refers to instant sub-housing) wherein both displays can rotate about an axis of rotation (ref. #53) with the angle of rotation that ranges from 0° to 360° (refers to instant claimed functional limitation of the panels, i.e. movable between the first position and second position; and instant claims 20, 24, and 25) (see e.g. col. 11, line 52 thru col. 12, line 23; col. 14, lines 30-65; col. 16, line 53 thru col. 18, line 6; figs. 19, 20, 38, 43, 45, 46, 47). As depicted in figure 20 and 38, the two flat displays (ref. #4A and 4B) are foldable (see e.g. col. 12, lines 6-23). Furthermore, the display control unit controls the display/non-display for each of the two flat displays (ref. #4A and 4B) (refers to instant claim 26) and performs the page turn instruction from the page turn instruction units for each of the two flat displays (refers to instant claimed functional limitation of the panels, i.e. a different kind; and instant claims 40 and 41) (see e.g. col. 11, lines 52-65; col. 14, lines 52-65; col. 16, lines 26-46; figs. 32 and 39). The page turn instruction units can be formed over the entire surface of each of the two flat displays or specified region in each of the two flat displays wherein the page turn instruction units sense and track the user's finger movement and contact (refers to instant claim 41) (see e.g. col. 12, lines 45-65).

For **claim 44**, First, the recitation of “*such that at least one of the panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional limitation, and as a result here it is interpreted that the instant claimed

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sub-housing does not include this functional limitation. Nako et al. disclose a display device (see e.g. Abstract; col. 2, lines 24-47; figs. 2, 6, 9, 10, 16, 19, 20, and 36). In general as illustrated by figure 2, the device comprises two flat displays (ref. #4) (refers to instant claimed two panels) wherein each is in a housing, two page turn instruction units (ref. #5), and arranged within the device is a display control unit (ref. #2 of fig. 1) and memory (ref. #3) (see e.g. col. 6, lines 15-27; figs. 1, 6, 9, 10, 16, 19, 20, and 36). Furthermore, the display control unit controls the display/non-display for each of the two flat displays (ref. #4A and 4B) (refers to instant claim 26) and performs the page turn instruction from the page turn instruction units for each of the two flat displays (refers to instant claimed functional limitation of the panels, i.e. a different kind; and instant claimed means) (see e.g. col. 11, lines 52-65; col. 14, lines 52-65; col. 16, lines 26-46; figs. 32 and 39).

Therefore, the devices of Nako et al. do anticipate the instant claimed invention.

15. Claims 17, 20, 24, 25, 26, 28, 43, and 44 rejected under 35 U.S.C. 102(e) as being anticipated by Aoki et al. (US Patent Application Publication US 2005/0110702 A1; *Filing date of 11/21/2003*).

For **claims 17, 20, 24, 25, 26, 28, and 43**, First, the recitation of “*such that at least one of the panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional limitation, and as a result here it is interpreted that the instant claimed sub-housing does not include this functional limitation. Aoki et al. disclose various types of collapsible display devices (see e.g. Abstract; sections: [0012] thru

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[0016], [0042] thru [0070]; figs. 5-14). As illustrated by figure, one type of collapsible display device wherein the display device has the configuration of a folding fan (ref. #500) that can be expanded and collapsed in a single motion (see e.g. sections: [0045] thru [0047]). The display device comprises one or more support members (ref. #502) (refers to instant claimed housing) that include one or more narrow extensions (ref. #518) (refers to instant claimed sub-housing) for supporting one or more display sections (ref. #510) (refers to instant claimed panels; and instant claim 43) of the deformable display membrane (ref. #400) (see e.g. sections: [0045] thru [0048]; figs. 5-8). The support members (ref. #502) are connected at a common pivot point (ref. #504) that enable the support members (ref. #502) to rotate between a common collapsed position of compact area to a separate second radial position of the fan configuration, i.e. the display sections (ref. #510) also rotate between a common collapsed position of compact area to a separate second radial position of the fan configuration (refers to the instant claimed functional limitations of the panels, i.e. foldable and movable between the first position and second position; and instant claims 20 and 24) (see e.g. sections: [0047] thru [0052]; figs. 5-7). Additionally, Aoki et al. disclosed that one or more support members (ref. #502) can rotate about separate pivot points (refers to instant claim 28) (see e.g. section: [0047]). As depicted by figure 7, the display areas (ref. #702) of the display device (ref. #700) can have a smaller area or a second shape (refers to instant claimed functional limitation of the panels, i.e. a different kind), and the display device (ref. #700) can integrate with an electronic device (ref. #704) (refers to instant claim 26) (see e.g. sections: [0049], [0053] thru [0055]; figs. 5 and 6). As shown by figure 8, the display device (ref. #700) can expand to 180 degree or 270 degree (refers to instant claim 25).

For **claim 44**, First, the recitation of “*such that at least one of the panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional limitation, and as a result here it is interpreted that the instant claimed sub-housing does not include this functional limitation. Aoki et al. disclose various types of collapsible display devices (see e.g. Abstract; sections: [0012] thru [0016], [0042] thru [0070]; figs. 5-14). As illustrated by figure, one type of collapsible display device wherein the display device has the configuration of a folding fan (ref. #500) that can be expanded and collapsed in a single motion (see e.g. sections: [0045] thru [0047]). The display device comprises one or more support members (ref. #502) (refers to instant claimed housing) that include one or more narrow extensions (ref. #518) (refers to instant claimed sub-housing) for supporting one or more display sections (ref. #510) (refers to instant claimed panels) of the deformable display membrane (ref. #400) (see e.g. sections: [0045] thru [0048]; figs. 5-8). The support members (ref. #502) are connected at a common pivot point (ref. #504) that enable the support members (ref. #502) to rotate between a common collapsed position of compact area to a separate second radial position of the fan configuration, i.e. the display sections (ref. #510) also rotate between a common collapsed position of compact area to a separate second radial position of the fan configuration (refers to the instant claimed functional limitations of the panels, i.e. foldable and movable between the first position and second position) (see e.g. sections: [0047] thru [0052]; figs. 5-7). Additionally, Aoki et al. disclosed that one or more support members (ref. #502) can rotate about separate pivot points (see e.g. section: [0047]). As depicted by figure 7, the display areas (ref. #702) of the display device (ref. #700) can have a smaller area or a second shape (refers to

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instant claimed functional limitation of the panels, i.e. a different kind), and the display device (ref. #700) can integrate with an electronic device (ref. #704), which a display controller (refers to instant claimed means) (see e.g. sections: [0049], [0053] thru [0055]; figs. 5 and 6).

Therefore, the apparatuses of Aoki et al. do anticipate the instant claimed invention.

### ***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

18. Claims 17, 19, 20, 24, 25, 26, 40-43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyashita (US Patent 6,327,482 B1) in view of Olodort et al. (US Patent Application Publication US 2005/0091431 A1; *Effective Filing date of 10/23/2003*).

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For *claims 17, 19, 20, 24, 26, 40, and 43*, Miyashita discloses a portable electronic device (see e.g. Abstract; col. 1, lines 37-46; figs. 1, 3A, 3B, 4A, 4B, and 6). In general, the device comprises an apparatus body (ref. #1) (refers to instant claimed housing), a main display (ref. #7) (refers to at least one of the instant claimed sub-housing) with a screen (ref. #7a) (refers to at least one of the instant claimed two panels), and an auxiliary display (ref. #9) (refers to at least one of the instant claimed sub-housing) with a screen (ref. #9a) (refers to at least one of the instant claimed two panels) (see e.g. col. 2, lines 10-36; figs. 1, 3A, 3B, 4A, 4B, and 6).

Miyashita discloses that there are several ways in which the auxiliary display (ref. #9) can be attached to the apparatus body (ref. #1) (see e.g. col. 2, lines 51-67; col. 3, lines 1-15; col. 4, lines 35-44; figs. 1, 3A, 3B, 4A, 4B, and 6). In one embodiment as illustrated by figures 1 and 6, the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) via the connector portion (ref. #8) that is formed on one side of the apparatus body (ref. #1) (see e.g. col. 1, lines 25-36; col. 4, lines 36-44). This disclosure implies that the auxiliary display (ref. #9) of Miyashita can be removable and replaceable as claimed in claim 17 in which the recitation of “*such that at least one of the panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional limitation, and as a result here it is interpreted that the instant claimed sub-housing does include this functional limitation. As depicted by figures 3A and 3B, the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) via a hinge (ref. #9b), and a screen is mounted on the front (ref. #9c) and rear (ref. #9a) of the auxiliary display (ref. #9) (refers to instant claim 43) (see e.g. col. 2, lines 51-67). The hinge (ref. #9b) allows the auxiliary display (ref. #9) to rotate in a folded and unfolded

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positions (refers to instant claim 20) such that the screen (ref. #9a) can be in a closed and opened positions (refers to the instant claimed functional limitations of the panels, i.e. foldable and movable between the first position and second position; and instant claim 24) (see e.g. col. 2, lines 51-67; figs. 3A and 3B). As shown by figures 4A and 4B, in another embodiment the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) wherein the auxiliary display can be retracted and pull out of the storing portion (ref. #9d) (refers to instant claim 19) that is formed on the side of the apparatus body (ref. #1) (see e.g. col. 3, lines 1-15).

Furthermore, Miyashita discloses that the device comprises a controller (ref. #16) that control both the main display (ref. #7) and the auxiliary display (ref. #9) (refers to instant claim 26) wherein the screen of ref. #7a and the screen of ref. #9a can display data different in kind or content (refers to instant claimed functional limitation of the panels, i.e. a different kind; and instant claim 40) (see e.g. col. 37-50; col. 4, lines 13-44; figs. 2 and 6). Also as depicted in figure 6, the auxiliary display (ref. #9) can have a larger area than the main display (ref. #7) (refers to instant claimed functional limitation of the panels, i.e. a different kind) (see e.g. col. 4, lines 36-44).

For **claim 44**, Miyashita discloses a portable electronic device (see e.g. Abstract; col. 1, lines 37-46; figs. 1, 3A, 3B, 4A, 4B, and 6). In general, the device comprises an apparatus body (ref. #1) (refers to instant claimed housing), a main display (ref. #7) (refers to at least one of the instant claimed sub-housing) with a screen (ref. #7a) (refers to at least one of the instant claimed two panels), and an auxiliary display (ref. #9) (refers to at least one of the instant claimed sub-housing) with a screen (ref. #9a) (refers to at least one of the instant claimed two panels) (see e.g. col. 2, lines 10-36; figs. 1, 3A, 3B, 4A, 4B, and 6). Miyashita discloses that there are several

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ways in which the auxiliary display (ref. #9) can be attached to the apparatus body (ref. #1) (see e.g. col. 2, lines 51-67; col. 3, lines 1-15; col. 4, lines 35-44; figs. 1, 3A, 3B, 4A, 4B, and 6). In one embodiment as illustrated by figures 1 and 6, the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) via the connector portion (ref. #8) (refers to instant claimed means) that is formed on one side of the apparatus body (ref. #1) (see e.g. col. 1, lines 25-36; col. 4, lines 36-44). This disclosure implies that the auxiliary display (ref. #9) of Miyashita can be removable and replaceable as claimed in claim 17 in which the recitation of “*such that at least one of the panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional limitation, and as a result here it is interpreted that the instant claimed sub-housing does include this functional limitation. As depicted by figures 3A and 3B, the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) via a hinge (ref. #9b), and a screen is mounted on the front (ref. #9c) and rear (ref. #9a) of the auxiliary display (ref. #9) (see e.g. col. 2, lines 51-67). The hinge (ref. #9b) allows the auxiliary display (ref. #9) to rotate in a folded and unfolded positions such that the screen (ref. #9a) can be in a closed and opened positions (refers to the instant claimed functional limitations of the panels, i.e. foldable and movable between the first position and second position) (see e.g. col. 2, lines 51-67; figs. 3A and 3B). Furthermore, Miyashita discloses that the device comprises a controller (ref. #16) that control both the main display (ref. #7) and the auxiliary display (ref. #9) (refers to instant claim 26) wherein the screen of ref. #7a and the screen of ref. #9a can display data different in kind or content (refers to instant claimed functional limitation of the panels, i.e. a different kind) (see e.g. col. 37-50; col. 4, lines 13-44; figs. 2 and 6). Also as depicted in figure



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6, the auxiliary display (ref. #9) can have a larger area than the main display (ref. #7) (refers to instant claimed functional limitation of the panels, i.e. a different kind) (see e.g. col. 4, lines 36-44).

The teachings of Miyashita differ from the presently claimed invention as follows:

For **claims 17 and 44**, Miyashita fail to disclose that the main screen (ref. #7a) also is ‘*movable between the first position and second position*’, i.e. the device comprises “*two panels being movable between a first position and a second position*”.

For **claim 25**, Miyashita fail to disclose that “*at least one rotatable or foldable with respect to a further axis substantially perpendicular to the first axis*”.

For **claim 41 and 42**, Miyashita fail to disclose “*one of said two panels has a touch function and another one of said at least two panels has a display function*” and “*two panels have been realized in different technologies*”.

However, Olodort et al. teach the limitations that are deficient in Miyashita as follows:

For **claims 17, 25, 41, 42, and 44**, Olodort et al. disclose a portable electronic device (see e.g. Abstract; sections: [0006], [0007], and [0057]; figs. 2A-2F, 3A-3E, 8A-8C, 9, 10, 20A-20C, 21A-21C, and 22A-22D). In general, the device comprises a display assembly (ref. #210/310) with a display screen (ref. #212/312), a keyboard assembly (ref. #220/320), and a hinge assembly (ref. #230/330) that allows the display assembly to rotate from close position and an open position (see e.g. sections: [0057]-[0059], [0063], [0068]-[0075], and [0092]-[0094]; figs. 2A-2F, 3A-3E, 8A-8C, 20A-20C, 21A-21C, and 22A-22D). As illustrated by figure 2E and 8E, the display assembly (ref. #210/310) in the open position can rotate from a phone position to a personal digital assistants (PDA) position (refers to instant claim 25) (see e.g. sections: [0058],

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[0069], and [0070]-[0073]; figs. 3A and 3B). Olodort et al. also disclose that the portable electronic device can also include a touch sensitive screen (refers to instant claims 41 and 42) (see e.g. [0017]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to disclose that the main screen (ref. #7a) also is ‘*movable between the first position and second position*’, i.e. the device comprises ‘*two panels being movable between a first position and a second position*’, and the limitations recited in claims 24, 25, 41, and 42 as taught by Olodort et al. in the device of Miyashita. One of ordinary skill in the art would have been motivated to disclose that the main screen (ref. #7a) also is ‘*movable between the first position and second position*’, i.e. the device comprises ‘*two panels being movable between a first position and a second position*’, and the limitations recited in claims 25, 41, and 42 in the device of Miyashita for the advantage of a single portable device that can be use as both a mobile voice phone and a PDA (Olodort: sections: [0004] and [0006]). Additionally, both Miyashita and Olodort et al. disclose that the portable electronic device is use as a mobile voice phone (Miyashita: col. 1, lines 5-9; Olodort: section: [0002]). Furthermore, one of ordinary skill in the art would have a reasonable expectation of success in the combination of Miyashita and Olodort et al. because such modification as taught by Olodort et al. does not alter the use of the portable electronic device as a mobile voice phone (Olodort: sections: [0006] and [0057]-[0059]).

Therefore, the combine teachings of Miyashita and Olodort et al. do render the device of the instant claims *prima facie* obvious.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MY-CHAU T. TRAN whose telephone number is (571)272-0810. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Primary Examiner, Art Unit 2629

December 15, 2008